



**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

119

**CR-5745-2025(O&M)**

**Date of Decision: 03.09.2025**

**SHUBH RANI**

....Petitioner(s)

**VERSUS**

**RANJIT KAUR BAJWA NOW DECEASED AND OTHERS**

....Respondent(s)

**CORAM : HON'BLE MR. JUSTICE PARMOD GOYAL**

Present: Mr. Vipin Mahajan, Advocate and  
Mr. Chandanpreet Kaur Ahluwalia, Advocate for the petitioner.

**PARMOD GOYAL, J. (Oral)**

1. The present petition has been preferred by tenant/respondent who at the stage of respondent evidence has moved an application for amendment of written statement. Vide his amendment application, he has sought to plead fact that petitioner/landlord has concealed his possession over a marriage palace M/s Taj Palace. The said property was got vacated from Aman Sher Singh. The petitioner is also intending to amend the name of Sh. Kuldeep Mahajan in the reply. Admittedly, amendment to this extent has been allowed. However, amendment has been disallowed in respect to facts regarding concealment of possession over marriage palace. Learned counsel also submits that apart from marriage palace, landlord has also got vacated other properties during pendency of present suit and therefore subsequent facts need to be placed on record by way of amendment in written statement.

2. Learned Court of Rent Controller, Batala on consideration has concluded that amendment is not required and it would be open for tenant to



show any subsequent event which had taken place during the pendency of present petition by way of evidence.

3. On consideration, I find in the written statement, tenant had duly pleaded that requirement of landlord is not *bona fide*. One of the issues (i.e. issue no.2) framed is “whether the premises is required for the petitioner for his bonafide and personal necessity? OPP”. Another issue (i.e. issue no.4) is “whether the petitioner has concealed the material fact from the Court? OPR”. Perusal of Issue No.2 goes to show that onus to prove is on the petitioner/landlord and perusal of issues no.4 goes to show that onus to prove the same is upon respondent. In view of issues framed by learned Rent Controller, Batala it is clearly made out that all facts which have arisen during the pendency of present petition and facts which has arisen earlier but had come to notice of tenant subsequently during the pendency of eviction petition can very well be placed on record and pleading of parties would cover said subsequent facts either arising or coming to the knowledge of either of the parties in order to discharge respective onus of issue no.2 and 4. It is worth noticing that initial onus, to prove issue no.2 that requirement of landlord is *bona fide* is upon landlord. After he discharges his initial onus, the burden would shift upon respondent to show that facts were concealed. Placing all the facts by way of evidence to show that those were concealed he can discharge his burden of showing concealment of facts. Therefore, there is no requirement for amendment of written statement and learned Rent Controller, Batala has rightly held that further amendment regarding subsequent fact(s) which has come subsequently to notice, is not required to



be specifically pleaded and can be shown by way of evidence to discharge respective onus. No interference with the impugned order is made out.

4. Accordingly revision petition is disposed off.

5. The petitioner shall be free to place all the facts which have arisen during the pendency of present petition as well as which have come to his notice subsequently, in order to show that landlord has concealed material facts and also to show that requirement of landlord is not *bona fide*.

**(PARMOD GOYAL)**  
**JUDGE**

**03.09.2025**

*Deepak Patwal*

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|-------------------------------------|---------------|
| 1. <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| 2. <i>Whether reportable</i>        | <i>Yes/No</i> |